



COFC

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

PALMER

Patent No.: 5,270,305

Issued: December 14, 1993

Serial No.: 07/753,907

Filed: September 3, 1991

For: MEDICAMENTS

Attention:
Certificate of Correction Branch

PUBLISH

REQUEST FOR CERTIFICATE OF CORRECTION UNDER
RULES 37 CFR § 1.322

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE
OCT 31 2000
OF CORRECTION

Pursuant to the provisions of 37 C.F.R. §1.322 Assignee of record, Glaxo Group Limited, respectfully requests correction of the above-identified U.S. patent by making the correction as noted on the attached form PTO-1050. The disclaimed portion of the patent term is after September 7, 2010, due to a legislative change in the length of patent term as more fully described below. Correction of this error does not involve any change in the patent as would constitute new matter or would require re-examination.

U.S. Patent No. 5,270,305 issued from serial number 07/753,907, which is a continuation of serial number 07/578,601, filed September 7, 1990, now abandoned.

Serial No. 07/753,907

Patent No. 5,270,305
Issued December 14, 1993

U.S. Patent No. 5,208,226 issued from serial number 07/753,906, which is a continuation of serial number 07/578,606 was filed on **September 7, 1990**, now abandoned.

U.S. Patent 5,270,305 disclaims the terminal part of any patent granted on U.S. serial number 07/753,907 which would extend beyond the expiration date of the **full statutory term** of any patent granted on U.S. serial number 07/753,906. At the time of issuance of the '305 patent, the term of the '226 patent was 17 years from the date it issued, which would be May 4, 2010. This is the expiration date correctly noted in the Notice portion on the face of the '305 patent.

However, due to legislation enacted after the '305 patent issued, the full statutory term of the '226 patent is the longer of 17 years from issue date or 20 years from its filing date. The twenty year date is longer and expires on September 7, 2010.

Therefore, the full statutory term of the '226 patent expires on September 7, 2010. The disclaimed portion of U. S. Patent 5,207,305 is therefore the portion of the term subsequent to the September 7, 2010 date of expiration of U.S. Patent No. 5,208,226. Accordingly, the portion of the term of this patent **subsequent to the date of expiration of the '226 patent, which is September 7, 2010** should be indicated in the Notice portion on the face of the '305 patent and not May 4, 2010 as is currently indicated on the face of the patent.

The accompanying certificate of correction form makes this correction.

It is believed that the error was not attributable to the USPTO or the Applicant. However, the required fee under 37 CFR § 1.20(a) of \$100.00 is submitted herewith to expedite the handling of this matter and authorization is herewith granted to charge any additional fees associated with this communication, or credit any overpayment to Deposit Account No. 02-0200.

Serial No. 07/753,907

Patent No. 5,270,305
Issued December 14, 1993

A duplicate of this paper is attached.

Accordingly, it is respectfully requested that the attached Form PTO-1050 be duly certified and returned to the undersigned attorney at the earliest convenience of the Patent Office.

Respectfully submitted,
BACON & THOMAS, PLLC

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ReqCertCorr.wpd
REF/jlf

September 27, 2000

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 5,270,305
DATED : December 14, 1993
INVENTOR(S) : PALMER

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Item [*] should read as follows:

[*] Notice: The portion of the term of this patent subsequent to September 7, 2010 has been disclaimed.

MAILING ADDRESS OF SENDER:

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FORM PTO 1050 (Rev. 2-93)

PATENT NO.

5,270,305

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